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 11 SMITHKLINE BEECHAM CORPORATION d/b/a
 12 GLAXOSMITHKLINE and McKESSON
 13 CORPORATION

14
 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION

18 RONALD T. HAMMER
 19 REPRESENTATIVE OF THE ESTATE
 20 OF RETHA M. SPAIN (DECEASED),

21 Plaintiff,

22 v.

23 SMITHKLINE BEECHAM
 24 CORPORATION d/b/a
 25 GLAXOSMITHKLINE and McKESSON
 26 CORPORATION,

27 Defendants.

28 Case No. CV-08-3394 WDB

**STIPULATION AND [PROPOSED]
 ORDER EXTENDING
 DEFENDANTS' TIME IN WHICH
 TO RESPOND TO COMPLAINT**

29
 30 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that the
 31 time within which defendants SMITHKLINE BEECHAM CORPORATION d/b/a
 32 GLAXOSMITHKLINE ("GSK") and McKESSON CORPORATION ("McKesson") (collectively
 33 "Defendants") may move, answer, or otherwise respond to Plaintiff's Complaint shall be
 34 governed by the Pretrial Orders entered in the multi-district litigation, *In re Avandia Marketing*,
 35 *Sales Practices and Products Liability Litigation*, MDL 1871 (E.D. Pa.) before the Honorable
 36
 37

1 Cynthia M. Rufe, of the United States District Court for the Eastern District of Pennsylvania.¹

2 Pursuant to Local Rule 6-1, stipulations which alter the date of any event or any deadline
 3 already fixed by the Court require court approval. Although the parties believe this stipulation
 4 will have no such effect, to the extent that it does, the parties request that this Court approve the
 5 proposed order below, allowing the time frame for Defendants to move, answer, or otherwise
 6 respond to Plaintiff's Complaint to be governed by the Pretrial Orders entered in the multi-district
 7 litigation, *In re Avandia Marketing, Sales Practices and Products Liability Litigation*, MDL 1871
 8 (E.D. Pa.).

9 IT IS SO STIPULATED:

10 Dated: July 28, 2008

DRINKER BIDDLE & REATH LLP

12 By: /S/ Krista L. Cosner

13 Krista L. Cosner
 14 Attorneys for Defendants
 15 SMITHKLINE BEECHAM
 CORPORATION d/b/a
 GLAXOSMITHKLINE and McKESSON
 CORPORATION

17 Dated: July 28, 2008

THE MILLER FIRM, LLC

19 By: /S/ David Andersen

20 David Andersen
 21 Attorneys for Plaintiff
 RONALD T. HAMMER

22 Pursuant to stipulation, IT IS SO ORDERED:

23 Dated:

24 _____
 25 United States District Court, Northern
 26 District of California

27 _____
 28 ¹ The above-entitled action was tagged for transfer to MDL 1871 and awaits transfer by the Judicial Panel
 on Multidistrict Litigation.